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DYLAN M. CARSON (SBN 237721) dylan.carson@tuckerellis.com AVRIL G. LOVE (SBN 237028) avril.love@tuckerellis.com MONEE A. TAKLA (SBN 259468) 3 monee.takla@tuckerellis.com TUCKER ELLIS & WEST LLP 515 South Flower Street, Forty-Second Floor Los Angeles, CA 90071-2223 5 Telephone: 213.430.3400 Facsimile: 213.430.3409 6 Attorneys for Defendants 7 ACTAVIS TOTOWA LLC, ACTAVIS INC., ACTAVIS ELIZABETH LLC 8 9 UNITED STATES DISTRICT COURT 10 NORTHERN DISTRICT OF CALIFORNIA 11 Cleveland ♦ Columbus ♦ Los Angeles ♦ San Francisco JAMI PALLADINO, Individually and on Case No. 3:11-cv-01531-JCS Behalf of the Estate of KENNETH SLOUGH, Assigned to Honorable Joseph C. Spero 13 Plaintiff. STIPULATION OF DISMISSAL 14 WITHOUT PREJUDICE 15 ACTAVIS TOTOWA, LLC, ACTAVIS, INC., ACTAVIS ELIZABETH, LLC, MYLAN, INC. MYLAN PHARMACEUTICALS, INC., MYLAND BERTEK PHARMACEUTICALS, 17 Complaint Filed: March 30, 2011 INC., and UDL LABORATORIES, INC. 18 Defendants. 19 Under Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the parties in this action hereby 20 stipulate to the dismissal of this action without prejudice. The parties hereby agree that, should 21 Plaintiff re-file this case, the applicable statute of limitations will relate back to March 30, 2011, 22 the date of filing in this action. Plaintiff received no further consideration for agreeing to this 23 dismissal. It is further stipulated by and among the parties to this action that each party will bear 24 its own attorneys' fees and costs. 25 /// 26 27 111 111 28 STIPULATION OF DISMISSAL

TUCKER ELLIS & WEST LLP

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	1	Respectfully submitted,	
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	19		Pharmaceuticals Inc., and UDL Laboratories,
	20		Inc.
	21	PURSUANT TO STIPULATION, IT	IS SO ORDERED.
	22		
	23	DATED: June _10, 2011	ATES DISTRICT
	24	DATED. Julie _ 10	O DERED E
	25	Ī	HOROT IT IS SO ORDERED PERO
	26		Judge Phyllis J. Hamilton
	27		THE DESCRIPTION OF STATE OF ST
	28		DISTRICTO

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## **CERTIFICATE OF SERVICE**

I hereby certify that, on June 1, 2011, a copy of the foregoing **STIPULATION OF DISMISSAL** was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

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